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REMARKS

Claim 17 has been amended to insert the word "the" at line 10 in order to place that claim in better form. No new matter is introduced by this amendment. Further, this amendment is made in accordance with the Examiner's suggestion in order to remove the basis for rejection of this claim under 35 U.S.C. §112, second paragraph. Entry of this Amendment is therefore requested.

I. Claims 17-35 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the present invention. The specific basis for this rejection was that the term "any filler" which appeared at line 10 rendered the claim confusing.

Applicants have amended Claim 17 at line 10 to replace "any filler" with "the filler" in accordance with the Examiner's suggestion.

It is believed that this amendment to Claim 17 removes the basis for this rejection.

Withdrawal of this rejection is therefore requested.

II. Claims 17-35 further stand rejected under 35 U.S.C. §103(a) as being unpatentable over Eiben et al (U.S. Patent 5,789,457) in view of Sulzbach et al (U.S. Patent 5,547,276), Davis et al (U.S. Patent 5,527,462) and WO 02/04190 (Sulzbach et al 04190). Applicants respectfully traverse this rejection.

Each of the cited references was discussed and distinguished over the claimed invention in Applicants' previous response. This discussion will not be repeated. Rather, Applicants will address the specific points raised in the Office Action dated March 29, 2007.

At page 4, lines 5-9 of the Office Action, it is stated that filtering components for the purpose of separating materials from a component as determined by the filter mesh size is a modification within the skill of the ordinary practitioner.

Applicants would note, however, that the sieve positioned downstream of the main mixer in the claimed device produces bubble nuclei as is taught by Eiben et al. If solid filler is filtered off by means of this sieve, the ability of the sieve to generate nuclei would be expected to be impaired.

Eiben et al does not teach or suggest how to pass a foam-forming mixture containing a solid filler through the disclosed sieve without adversely affecting formation of the bubble nuclei.

It was also stated in the Office Action that Eiben et al teaches inclusion of additives in the disclosed compositions and that "additive:" includes filler. (At page 4, lines 10-12 of the Office Action)

Applicants would point out, however, that the only additives specifically mentioned by Eiben et al are foam stabilizers. Foam stabilizers are not, however, solid fillers.

It was further stated in the Office Action that Sulzbach addresses the deficiencies of Eiben et al pertaining to the specifics of introducing and treating fillers. (At page 4, line 12-14 of the specification)

Applicants would note, however, that Sulzbach et al teaches introduction of fine-particle-sized solids into the polyol component mixing apparatus by means of a metering screw which is positioned between a vacuum tank with a controlled filler level and the polyol component mixing apparatus.

Sulzbach et al does not teach or suggest a means for transporting filler-containing mixture which includes the filter required in Applicants' claimed invention. Nor would one skilled in the art consider it obvious to include such a filter because Sulzbach et al teaches that the object of the invention disclosed therein was to avoid the problem of blocked microfilters encountered when using the screw design taught in European Patent 431,388. (at column 1, lines 35-49)

Sulzbach et al does not therefore teach or suggest the means for transporting filler-containing mixture which includes at least one filter that is required in Applicants' claimed invention.

Davis et al does not teach or suggest the means for transporting filler-containing mixture which includes the at least one filter required in Applicants' claimed invention.

WO 02/04190 discloses a process in which powder in a liquid reaction component, and not the powder alone, is passed through an agglomerate reducer.

WO 02/04190 does not, however, disclose a process in which filler-containing reaction mixture is passed through a sieve to generate bubble nuclei.

It was argued in the Office Action that Applicants' claims do not differentiate their apparatus from the combined teachings of the references based on employment of an apparatus component defined by the claims which specifically filters the filler component before mixing with other ingredients. (at page 4, lines 18-21 of the Office Action)

Applicants maintain that no combination of the cited prior art would teach or suggest to one of ordinary skill in the art that reduction of agglomerates in any manner would make it possible to pass a filler-containing foam-forming reaction mixture through a sieve to generate bubble nuclei without clogging the sieve and thereby adversely affecting the foam produced.

Applicants' position is supported by the fact that not one of the cited references addresses the challenge of balancing fineness of the openings of the sieve for generating bubble nuclei with the need to select an opening size to accommodate the filler to consistently produce a defect-free foam, i.e., the problem addressed and solved by the apparatus of the present invention.

Applicants' claimed apparatus which does make it possible to pass a filler-containing foam-forming mixture through a sieve to generate bubble nuclei without clogging during operation and thereby produce good quality foam is not therefore rendered obvious by the combined teachings of Eiben et al, Sulzbach et al, Davis et al and WO 02/04190.

Withdrawal of this rejection is therefore requested.

In view of the above amendment and remarks, reconsideration and allowance of Claims 17-35 are respectfully requested.

Respectfully submitted,

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